

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
NEWPORT NEWS DIVISION**

**HERBERT H. MULLINEX, JR.** )  
and **PATRICIA E. MULLINEX,** )  
Plaintiffs, )  
v. )  
**JOHN CRANE INC., et al,** )  
Defendants. )

Case No.: 4:18-cv-00033-RAJ-DEM

**JOHN CRANE INC.'S RESPONSE TO PLAINTIFFS'  
SUGGESTION OF DEATH PURSUANT TO FRCP 25**

In her *Suggestion of Death Pursuant to FRCP 25* [ECF No. 436], Plaintiff Patricia Mullinex does more than simply notify the Court and John Crane Inc. ("JCI") of her late husband Herbert Mullinex's passing. She instead takes the additional opportunity – for reasons that are unclear given the ostensible purpose of the filing – to advance a legal argument regarding the survival of Mr. Mullinex's claim for damages.

Given that ECF No. 436 is of no legal consequence – it moves the Court for no relief of any kind – JCI will offer in response that ECF No. 436 misstates the law on the availability of a survival action under general maritime law. JCI will respond accordingly to the motion to amend referenced by Mrs. Mullinex in ECF No. 436.

Dated: November 22, 2021

**Respectfully submitted,  
JOHN CRANE INC.  
Defendant**

By: /s/ Eric G. Reeves  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this 22<sup>nd</sup> day of November, 2021, a true and accurate copy of the foregoing was filed electronically using the CM/ECF system, which will then send a notification of such filing (NEF) to all counsel of record.

/s/ Eric G. Reeves  
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